

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :
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: :
- against - :
: :
: : 20 CR 213 (KAM)
DESMONN BECKETT :
: :
: :
Defendant. :
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**DEFENDANT DESMONN BECKETT'S
BAIL APPLICATION**

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Attorney for Desmonn Beckett

Dear Judge Matsumoto,

Please advised that I am making this application for bail for Mr. Desmonn Beckett. Mr. Beckett makes this application based upon a number of factors.

The indictment before the Court charges various defendants with racketeering, murder in aid-of racketeering, conspiracy to commit murder and various firearms offenses. Mr. Beckett is not charged in any of those counts. Mr. Beckett is only charged in count 16, with being an accessory after the fact. While counsel is not privy to any potential witness testimony on this matter, the discovery provided thus far indicates that this case is lacking in proof of Mr. Beckett's knowledge that the underlying crime had been committed. Knowledge of the underlying crime is one of the elements of the crime of accessory after the fact. While it is true that the underlying crime is very serious Mr. Beckett faces a non-mandatory minimum sentence and a maximum sentence of ten years.

Four factors guide the Court's determination of whether a defendant should be released on bail:

- 1) "the nature and circumstances of the offense charged, including whether the offense is a crime of violence... or involves a ... firearm"
- 2) "the weight of the evidence against the person",
- 3) "the history and characteristics of the person. Including... the person's character,...past conduct,...and criminal history, and record of appearing at court proceedings" :and
- 4) "the nature and seriousness of the danger to any person or the community that would be posed by the person's release."

Counsel is well aware that pre-trial services recommended detention. The facts in the report tend to under-cut that position. The case against Mr. Beckett is not a crime of violence and does not involve the use of a firearm. As stated above, the case appears to be weak as the Government has not put forth any credible evidence as to the defendant's knowledge. When one reviews Mr. Beckett's history and characteristics one

cannot help but be impressed. Mr. Beckett has a very good career at the United States Postal Service where he has been employed for over six years. Mr. Beckett works exceedingly hard as his schedule requires him to work twelve hours a day six to seven days a week. Mr. Beckett does have one misdemeanor weapon possession case. It should be noted that this case resulted in a non- jail sentence. In fact, Mr. Beckett was not even sentenced to a period of probation. The sentence was a conditional discharge. In addition, Mr. Beckett never missed a court date as evidenced in the bail report. In the Government's detention letter there was no specific allegation as to Mr. Beckett being a danger to any particular person or persons. Further, there was no claim that he is a flight risk.

Desmonn Beckett has tremendous support from family and friends. Mr. Beckett's mother has reached out to a secured an impressive group of people willing to pledge their financial futures on Mr. Beckett. Here is the list.

1. Michelle West (Desmonn Beckett's mother)
170-30 130th Ave
Jamaica, NY, 11434
\$65,000 Works for USPS for 26 yrs
917-567-3480
2. Andrew Ronald Wade (Desmonn Beckett's grand-father retired)
1231 Oakman Branch Road
Walterboro, S.C, 29488
\$60,000(house)
843-584-2161
3. Desmonn Jordan (Desmonn Beckett's father NYCHA)
233 York Street
Brooklyn, NY, 11201
\$34,000
929-351-5610
4. Randell Jordan (Desmonn Beckett's uncle)
\$70,000 (MTA)
2809 Snyder Avenue apt 3B
347-299-2423
5. Bridgett Jordan (family friend)
\$78,600
Manager at the Post Office

32 Driggs Avenue
718-640-6641
6. Lavia Miller USPS (family friend)
25 Clifton Ave # 1207
Newark N.J. 07104
\$66,000

We are aware that the allegations as to the co-defendants in this indictment are exceptionally serious and troubling. We do not request that Mr. Beckett be released without conditions. We think that home confinement with electric monitoring or a GPS anklet would be a set of conditions that permits Mr. Beckett's release and also protect the public.

The Government concedes there is no rebuttable presumption for detention with respect to Mr. Beckett. In addition, as the Government's letter points out in two separate places, Mr. Beckett's situation with respect to bail is different than his co-defendants. Based on all of these factors I ask this Court to release Mr. Beckett with conditions.

Respectfully submitted,

By: //Samuel Gregory//

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Cc: The Hon. Kiyo A. Matsumoto (b ECF)
Clerk of Court (KAM) (by ECF)
Counsel for the Government by ECF (by ECF)

